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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/766,949  | 01/22/2001  | Daniel B. Workman    | 1958.2009-000       | 3380             |
| 21005   | 7590        | 12/27/2005           | EXAMINER            |                  |
| HAMILTON, BROOK, SMITH & REYNOLDS, P.C.<br>530 VIRGINIA ROAD<br>P.O. BOX 9133<br>CONCORD, MA 01742-9133 |             |                      | BASEHOAR, ADAM L    |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2178                |                  |
| DATE MAILED: 12/27/2005   |             |                      |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 09/766,949             | WORKMAN ET AL.      |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Adam L. Basehoar       | 2178                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on 12 December 2005.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 1-50 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-50 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

|   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date: _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/12/05</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

**DETAILED ACTION**

1. This action is responsive to communications: The RCE filed 12/12/05.
2. The rejection of claims 1-50 remain under 35 U.S.C. 102(b) as being anticipated by Bergman et al (5,909,678 06/01/99).
3. Claims 1-50 are pending in the case. Claims 1, 11, 13-14, and 41 are independent claims.

***Information Disclosure Statement***

4. The information disclosure statement (IDS) submitted on 12/12/05 has been considered by the examiner.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Bergman et al (5,909,678 06/01/99).

-In regard to independent claims 1, 11, 13-14, and 41 Bergman et al teach a method, system, and product for editing a form, wherein;

a user was displayed an interface (Fig. 9: 911) displaying a hyperlink (phrase receptacle) for an element in the form (column 3, lines 17-18) (Fig. 4: 200) indicating to a user that a control is available for the element (column 3, lines 6-28, 46-49, 57-67; column 4, lines 1-9); wherein upon selection of the hyperlink of the element, the control displayed on the user interface for user interaction (Fig. 3: Selection of element 200 displays control 11 for user interaction); and wherein

upon completion of user interaction with the control, replacing the element with a new element responsive to user (Fig: 2: Select element 210 and Fig 3: Replace element with new element 210 selected from control 11) .

-In regard to dependent claims 2-3, 15-16, 23-24, 32-33, and 42-43, Bergman et al teach wherein the form was a database query (column 5, lines 27-36) or spreadsheet (equivalent to a database) (column 5, lines 22-26).

-In regard to dependent claims 4-5, 17-18, 25-26, 34-35, and 44-45, Bergman et al teach wherein the element was part of a formula or calculation (column 3, lines 9-10)(column 14, lines 25-30).

-In regard to dependent claims 6-7, 19-20, 27-28, 36-37, and 46-47, Bergman et al teach wherein the control was a list of choices or a pull-down menu (column 8, lines 5-8)(Fig. 3&4).

-In regard to dependent claims 8-9, 21-22, 29-30, 38-39, and 48-49, Bergman et al wherein the control was a dialog box or text entry field (column 8, lines 6-8).

-In regard to dependent claims 10, 12, 31, 40, and 50, Bergman et al Bergman et al further teach wherein the control was selected from a group of controls consisting of a list (Fig. 3), a dialog box, and a text entry field (column 8, lines 5-8).

#### ***Response to Arguments***

7. Applicant's arguments filed 12/12/05 have been fully considered but they are not persuasive.

-In regard independent claim 1, the Applicant argues that Bergman does not teach or suggest hyperlink editing queries. The Examiner respectfully disagrees. Bergman clearly teaches wherein a user may select a phrase receptacle via clicking the receptacle which then links the user to the menu boxes, where acceptable objects are highlighted for user consideration (column 7, lines 39-44). In this case the phrase receptacles represent elements in an electronic document (i.e. the displayed phrase templates that contain them)(Fig. 3: 200) that when selected link to another place (i.e. the acceptable phrase objects)(Fig. 3: e.g. 113-120) in another document (i.e. the entity object menu)(Fig. 3: 11). Thus the user interface of Bergman could display a plurality of electronic documents linked via the phrase receptacles.

The Examiner agrees that said double brackets “[ ]” are only used in the “textual description” of the specification and that on the display screen the phrase receptacles were represented as having rectangular or square boundaries.

The Examiner notes the presentation that said phrase receptacles could be highlighted with color or by shading was introduced as an example to meet the limitation of the independent claims requiring indicating to a user that a control is available for the element.

***Conclusion***

8. All claims are drawn to the same invention claimed in the application prior to the entry of the submission under 37 CFR 1.114 and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the application prior to entry under 37 CFR 1.114. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action after the filing of a request for continued examination and the submission under 37 CFR 1.114. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

|                 |         |                 |
|-----------------|---------|-----------------|
| US-6,589,290    | 07-2003 | Maxwell et al.  |
| US-2004/0044743 | 03-2004 | Monell et al.   |
| US-6,209,006    | 03-2001 | Medl et al.     |
| US-2005/0216861 | 09-2005 | Hurewitz et al. |
| US-6,639,610    | 10-2003 | Sponheim et al. |

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam L. Basehoar whose telephone number is (571)-272-4121. The examiner can normally be reached on M-F: 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ALB

William L. Basehoar  
WILLIAM BASHORE  
PRIMARY EXAMINER  
12/22/2005